1: Allen H-4 (no date) 1932 RI1 Georgia RI1

[Ancient Georgia]

565 423 621 ownership of land was unknown. Immovable properties belonged to the *gwari* as a whole and the oldest member of it, the *mamasakhlisi*, was its sole regulator and manager. *Gwari* or *sakhli* then represented a basic social group welded by common descent, common ownership and communal production; in other words ancient Georgia did not know a 592 621 social economic unit smaller than the *gwari*. This however, does not mean that there were no family households. The household or family as a biological and moral union did of course exist, but juridically and economically it formed an inseparable part of the *gwari*. Families could and did naturally live in separate homes, but socially they were very closely bound to their respective *gwarni* outside of which they had no legal existence. The *gwari* and *sagwareulo* system was the keystone of all social life. Hamlets, villages and towns were organized in accordance with this system, for in the majority of cases the whole village was held in a single *sagwareulo*. This system lasted until the seventh century A.D., and in some cases survived until the thirteenth century; while among the mountaineers of the Aragvi and the Ksani valleys, it persisted till as recently as the eighteenth century.

178 61. With the invasion of the Romans in 65 B.C. and the subsequent imposition of a "treaty of friendship" on Iberia, this native system of state and social organization became increasingly subject to external influences. The Romans interfered frequently, for instance, with the succession rights with a view to placing their own creatures on the Iberian throne; but the older practices proved strong enough to persist until the end of the second century A.D. when succession by primogeniture became the rule.

178 554 Other modifications began to take place. Differences in social status gradually developed within the *gwarni* and by the middle of the second century A.D. social inequalities had become already, at least partially, established.

554 The first foreign writer to allude to the existence of social inequality in Georgia was Dio Cassius who lived in the second half of the second century A.D. In giving an account of the arrival in Rome of Farsman II (A.D. 116–40) King of Iberia, and of the reception accorded him by the Emperor Hadrian, Dio Cassius states that

> "the Emperor watched Farsman and the sons of other *illustrious* Iberians perform tournaments". [1]

[1] Dio Cassius, *Hist. Romana*, III, 69.

868 Quarten. Dabei wechseln sie waehrend des Fechtens die Kniee je nachdem das rechte oder linke bequemeren Stuetzpunkt gewaehrt; ja, wird der Kampf erbitterter, so Knien sie wohl auf beiden, legen sich mit dem Oberkoerper vor und gerathen selbst beim Spiel in sichtliche Aufregung. Zumal ist diess der Fall, wenn es gelingt, die gefaehrliche Prime zu schlagen. Dann wird Schild und Schwert fortgeworfen und es beginnt Rauferei und Faustkampf."

592 [594] In times past the social unit among the Georgian Highlanders, as well as among the other groups of the Georgian nation, was the joint family, called *didi-ojakhi* (*didi*—big, *ojakhi*—family).

All members of the joint family lived together in one house consisting of one large living room, called *darbazi*, and small rooms used as store houses and for similar purposes. The size of the *darbazi* depended upon the size of the family. The room was enlarged with the growth of the family, but no new additions were made in the form of separate rooms. As among the Ossetes, each married couple of the joint family had one separate room, representing partitions of one big house called *khadzar*. However, among the Georgians, as we already stated, the whole family lived in one room (*darbazi*). To ascertain the possible size of the room we may mention that the members of the family often reached the number of one hundred. According to information given to N. L. Abasadze[8] by a native old woman, in the *darbazi* of a peasant by the name of Sebiskveridze, in the village of Nabaktevi, department of Gori, there were twenty-five cribs. This fact indicates the size of the family. The joint family consisted of as many as thirty, forty, or even a hundred people. For example, the joint family of a man by the name of Chedlishvili, in the village of Nikosi, situated in the department of Gori, there were not less than thirty adult male members.

The family life was conducted in one room. They slept, cooked, ate and passed their free time in discourse or other diversion openly before each other. Mr. N. L. Abasadze[9] reiates that on his inquiry

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[8] Abasadze: 15.
[9] *Ibid.*

6: Grigolia E-4, 5 (no date) 1939 RI1 Georgia RI1

as to why they lived in one crowded room when it was possible to occupy the different adjoining rooms, the elders explained that by living in one room the life of every member of the family was open and seen by everyone, and that this system eliminated the possibility of laziness or the concealment of common property, and made it easier to prevent quarrels and gossip of the members of the families.

The joint family (*didi-ojakhi*) was governed by two officially appointed persons: the head man and the head woman. Both of these offices were attained by general election, in which all the adult members of the family took part, without any sexual discrimination, that is, the women had full and equal rights of voting. Both the head man and the head woman could be relieved of their duties if they were inefficient or of advanced age, in which case new elections were arranged.

The head man was called, among the Pshavs, *mama-katsi*, from the Georgian words *mama*, meaning father, and *katsi*, meaning man. The head man of the Georgian Lowlanders was not called the *mama katsi* as among the Pshavs, but *uprosi-katsi*, meaning in English, the oldest man, from the Georgian words *uprosi*—elder, and *katsi*—man. Although the head man of the family (*mama-katsi*) was usually the oldest man, it should be mentioned that mere age was not the criterion necessary to attain the office; but wisdom, experience of life, and high moral and personal qualities were required. In case the oldest man of the family did not have the required abilities, any suitable younger male member of the family had full right to be elected as the head man. The head man supervised and directed all the affairs of the family. He was the leader and supervisor of the male members in distributing work among them which was necessary to be done. On the other hand, the supervising of the female members of the family was in the hands of the head woman or matron of the family, who was called, by the Pshavs, *dia-sakhlisi*—meaning in English, "the mother of the house," from the Georgian words *dia* or *deda*—meaning "mother," and the word *sakhli*—meaning "house." She distributed work among the women folk, supervising and overseeing that everything was done correctly.

6. Grigolia E-4, 5 (no date) 1939 RI1 Georgia RI1

572 Every member of the family was obliged to obey the words of the head man and head woman, respectively. Every disobedience was punished. Although the head man, who was higher in power than the head woman, and the matron exercised almost absolute power over the members of the family, it should be noted that their rights of executive power did not have a tyrannical character. Every member of the family had full right and choice to defend himself and express his own opinion about things to be done, which were done not merely by order, and executed blindly, but were brought into discussion before the whole family at a time when all were present, usually in the evening at supper time.

All property belonging to the family was owned jointly, although there was a difference in property rights between male and female members of the family.[10]

All quarrels and misunderstandings in the family were brought to the head man for solution and judgment. The head woman reconciled the quarrels among the women folk. If she was not successful, the case was brought to the head man.

It may be noted that every member of the family obeyed orders, and there was a marked group solidarity in the behavior of each member.

The joint family disintegrated with the adoption of the custom of the separation of married brothers. This is a usual occurrence, especially among the Khevsurs, where every brother leaves his parental home after marriage and starts a home of his own.

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[10] See "Property."

675 regard the purchase as complete and legal until the following
432 customary procedure was observed: both the seller and buyer went to the land offered for sale, and there in the presence of at least one witness, the seller, stamping his foot on the ground, said to the buyer: "May the purchase of this land bring good luck to you." Only after this ceremony was the deed regarded as legally closed.

675 It is necessary to note that among the Svans, unlike the other
432 groups of Georgian Highlanders, the land property sold to a
692 stranger who was not a member of the community could not be regarded as definitely in his possession, because the relatives, and even the neighbors of the family from whom he purchased the property, have full right to claim the property and return to him the purchase price. The land belonging to a family, called *samu*, is very seldom sold by the Svans—only in cases of the most urgent necessity, such as in the payment of blood-*tsor* (*wergild*), or for the arranging of funeral or commemorative ceremonies, called *konch'khar*. Although the sale of the family land might occur in extreme cases, there were household objects which could not be sold under any circumstances, such as the iron chain, called *sakideli* in the Georgian, on which is suspended the cooking pot on the hearth, and the *kerai*, the little iron table used for baking bread. All transactions of sale took place in the presence of witnesses.

675 The loan of property had, among the Khevsurs and Tushes,
426 three different forms: (a) a loan was given without any interest; (b) with certain interest; (c) instead of interest payable in money, the creditor had full right to use for his own benefit the property pawned to him by the debtor as security.

(a) A loan was given without interest with sowing-seed, cattle for agriculture, general work, and with milk products, generally for a certain period of time. In case the loaned property was not returned within the time fixed by both parties, an indemnity equal in amount to one-fifth of the loaned property was demanded.

(b) The Khevsurs and Tushes also made loans at a certain rate of interest, usually amounting to thirty percent, payable annually.

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646 Art. 31. The Supreme Soviet of the Georgian SSR elects a Chairman of the Supreme Soviet and two Vice-Chairmen.

The Chairman of the Supreme Soviet of the Georgian SSR presides at the sittings of the Supreme Soviet and has charge of the conduct of its business and proceedings.

Art. 32. A law is considered adopted if passed by the Supreme Soviet of the Georgian SSR by a simple majority vote.

643 646 Art. 33. Laws passed by the Supreme Soviet of the Georgian SSR are published over the signatures of the President and Secretary of the Presidium of the Supreme Soviet of the Georgian SSR.

Art. 34. The Supreme Soviet of the Georgian SSR elects the Presidium of the Supreme Soviet of the Georgian SSR consisting of the President of the Presidium of the Supreme Soviet of the Georgian SSR, two Vice-Presidents representing the Autonomous Republics, a Secretary of the Presidium and 13 members of the Presidium.

Art. 35. The Presidium of the Supreme Soviet of the Georgian SSR is accountable to the Supreme Soviet of the Georgian SSR for all its activities.

643 Art. 36. The Presidium of the Supreme Soviet of the Georgian SSR:

a) Convenes the sessions of the Supreme Soviet of the Georgian SSR;

b) Issues decrees;

c) Gives interpretations of the laws of the Georgian SSR in operation;

d) Conducts nation-wide polls (referendums);

● [645] e) Annuls decisions and orders of the Council of Ministers of the Georgian SSR and of the Councils of Ministers of the Autonomous Republics, and likewise decisions and orders of the Soviet of Working People's Deputies of the Autonomous Region if they do not conform to law;

f) In the intervals between sessions of the Supreme Soviet of the Georgian SSR, releases and appoints Ministers of the Georgian SSR, on the recommendation of the Chairman of the Council of Ministers of the Georgian SSR, subject to subsequent confirmation by the Supreme Soviet of the Georgian SSR;

g) Confers the rights of citizenship of the Georgian SSR;

h) Awards honourary testimonials and confers titles of honour of the Georgian SSR;

i) Exercises the right of pardoning citizens convicted by judicial organs of the Georgian SSR;

j) Appoints and recalls diplomatic representatives of the Georgian SSR to foreign states;

k) Receives the letters of credence and recall of diplomatic representatives accredited to it by foreign states.

646 Art. 37. The Supreme Soviet of the Georgian SSR elects a Credentials Committee to verify the credentials of the members of the Supreme Soviet of the Georgian SSR.

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646 On the report of the Credentials Committee, the Supreme Soviet of the Georgian SSR decides whether to recognize the credentials of deputies or to annul their election.

Art. 38. The Supreme Soviet of the Georgian SSR, when it deems necessary, appoints commissions of investigation and audit on any matter.

It is the duty of all institutions and officials to comply with the demands of such commissions and to submit to them all necessary materials and documents.

Art. 39. A member of the Supreme Soviet of the Georgian SSR may not be prosecuted or arrested without the consent of the Supreme Soviet of the Georgian SSR, or, when the Supreme Soviet of the Georgian SSR is not in session, without the consent of the Presidium of the Supreme Soviet of the Georgian SSR.

[643] Art. 40. On the expiration of the term of office of the Supreme Soviet of the Georgian SSR, the Presidium of the Supreme Soviet of the Georgian SSR retains its powers until the newly-elected Supreme Soviet of the Georgian SSR shall have formed a new Presidium of the Supreme Soviet of the Georgian SSR.

[666] Art. 41. On the expiration of the term of office of the Supreme Soviet of the Georgian SSR, the Presidium of the Supreme Soviet of the Georgian SSR orders new elections to be held within a period not exceeding two months from the date of expiration of the term of office of the Supreme Soviet of the Georgian SSR.

Art. 42. The newly-elected Supreme Soviet of the Georgian SSR is convened by the outgoing Presidium of the Supreme Soviet of the Georgian SSR not later than three months after the elections.

[645] Art. 43. The Supreme Soviet of the Georgian SSR appoints the Government of the Georgian SSR, namely, the Council of Ministers of the Georgian SSR.

Chapter IV. The Organs of State Administration of the Georgian Soviet Socialist Republic

645 Art. 44. The highest executive and administrative organ of state power of the Georgian SSR is the Council of Ministers of the Georgian SSR.

Art. 45. The Council of Ministers of the Georgian SSR is responsible and accountable to the Supreme Soviet of the Georgian SSR, or, in the intervals between sessions of the Supreme Soviet of the Georgian SSR, to the Presidium of the Supreme Soviet of the Georgian SSR.

Art. 46. The Council of Ministers of the Georgian SSR issues decisions and orders on the basis and in pursuance of the laws in operation of the USSR and the Georgian SSR, and of the decisions and orders of the Council of Ministers of the USSR and verifies their execution.

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645 Art. 47. Decisions and orders of the Council of Ministers of the Georgian SSR are binding throughout the territory of the Georgian SSR.

Art. 48. The Council of Ministers of the Georgian SSR:

a) Coordinates and directs the work of the Ministries of the Georgian SSR and other institutions under its jurisdiction; coordinates and verifies the work of the authorized representatives of the all-Union Ministries;

b) Adopts measures to carry out the national-economic plan, the state and local budgets;

c) Adopts measures for the maintenance of public order, for the protection of the interests of the state, and for the safeguarding of the rights of citizens;

d) Directs and verifies the work of the Councils of Ministers of the Autonomous Republics and of the Executive Committee of the Soviet of Working People's Deputies of the Autonomous Region, directs and verifies the work of Executive Committees of district and city Soviets of Working People's Deputies;

e) Sets up, whenever necessary, special Committees and Central Administrations under the Council of Ministers of the Georgian SSR for economic and cultural affairs;

f) Exercises guidance in the sphere of the relations of the Georgian SSR with foreign states, on the basis of the general procedure established by the USSR governing the relations of Union Republics with foreign states;

g) Directs the organization of the military formations of the Georgian SSR.

Art. 49. The Council of Ministers of the Georgian SSR has the right to annul decisions and orders of the Executive Committee of the Soviet of Working People's Deputies of the Autonomous Region and likewise to suspend decisions and orders of the Councils of Ministers of the Autonomous Republics and decisions and orders of the Soviet of Working People's Deputies of the Autonomous Region.

The Council of Ministers of the Georgian SSR has the right to annul orders and instructions of Ministers of the Georgian SSR.

Art. 50. The Council of Ministers of the Georgian SSR is appointed by the Supreme Soviet of the Georgian SSR and consists of:

The Chairman of the Council of Ministers of the Georgian SSR;

The Vice-Chairmen of the Council of Ministers of the Georgian SSR;

The Chairman of the State Planning Commission of the Georgian SSR;

The Ministers of the Georgian SSR of:

Motor Transport
The Grocery Supplies Industry
Internal Affairs
Irrigation
State Security
State Control
Public Health
Foreign Affairs

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Cinematography
The Municipal Economy
Light Industry
The Timber Industry
Forestry
Local Industry
The Meat and Dairy Industry
Defence
The Food Industry
The Building Materials Industry
Education
Agriculture
Social Maintenance
The Textile Industry
Trade
Finance
Justice;
The Chief of the Arts Administration
The Chairman of the Committee on Cultural and Educational Institutions.

Art. 51. The Government of the Georgian SSR or a Minister of the Georgian SSR to whom a question of a member of the Supreme Soviet of the Georgian SSR is addressed must give a verbal or written reply in the Supreme Soviet of the Georgian SSR within a period not exceeding three days.

Art. 52. The Ministers of the Georgian SSR direct the branches of state administration which come within the jurisdiction of the Georgian SSR.

Art. 53. The Ministers of the Georgian SSR, within the limits of the jurisdiction of their respective Ministries, issue orders and instructions on the basis and in pursuance of the laws in operation of the USSR and the Georgian SSR, of the decisions and orders of the Council of Ministers of the USSR and of the Council of Ministers of the Georgian SSR and of the orders and instructions of the Union-Republican Ministries of the USSR, and verify their execution.

Art. 54. The Ministries of the Georgian SSR are either Union-Republican or Republican.

Art. 55. The following Ministries of the Georgian SSR are Union-Republican Ministries of the Georgian SSR:
The Ministry of the Grocery Supplies Industry
The Ministry of Internal Affairs
The Ministry of State Security
The Ministry of State Control
The Ministry of Public Health
The Ministry of Foreign Affairs
The Ministry of Cinematography
The Ministry of Light Industry
The Ministry of the Timber Industry
The Ministry of Forestry

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The Ministry of the Meat and Dairy Industry
The Ministry of Defence
The Ministry of the Food Industry
The Ministry of the Building Materials Industry
The Ministry of Agriculture
The Ministry of the Textile Industry
The Ministry of Trade
The Ministry of Finance
The Ministry of Justice.

Art. 56. The following Ministries of the Georgian SSR are Republican Ministries:

The Ministry of Motor Transport
The Ministry of Irrigation
The Ministry of the Municipal Economy
The Ministry of Local Industry
The Ministry of Education
The Ministry of Social Maintenance.

Art. 57. Each Union-Republican Ministry of the Georgian SSR directs the branch of state administration of the Georgian SSR entrusted to it, with the exception of only a limited number of enterprises, according to a list confirmed by the Presidium of the Supreme Soviet of the USSR, and is subordinate both to the Council of Ministers of the Georgian SSR and the corresponding Union-Republican Ministry of the USSR.

Art. 58. Each Republican Ministry of the Georgian SSR directs the branch of state administration entrusted to it and is directly subordinate to the Council of Ministers of the Georgian SSR.

Chapter V. The Higher Organs of State Power of the Abkhazian and the Adjar Autonomous Soviet Socialist Republics

635 Art. 59. The highest organs of state power in the Abkhazian Autonomous SSR and the Adjar Autonomous SSR are the Supreme Soviets of these Republics.

Art. 60. The Supreme Soviet of the Autonomous Republic is elected for a term of four years on the bases of representation indicated in the Constitution of the Autonomous Republic.

Art. 61. The Supreme Soviet of the Autonomous Republic is the sole legislative organ of that Republic.

Art. 62. The Supreme Soviet of the Autonomous Republic:

a) Adopts, in accordance with Art. 24 of the Constitution of the Georgian SSR, the Constitution of the Autonomous Republic and submits it to the Supreme Soviet of the Georgian SSR for confirmation;

b) Submits to the Supreme Soviet of the Georgian SSR for confirmation the formation of new districts and cities, and establishes their boundaries;